

The Hon. Richard A. Jones

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

DANIEL JOHN FAIX,

Defendant.

NO. 2:23-cr-00053-RAJ

FINAL ORDER OF FORFEITURE

THIS MATTER comes before the Court on the United States' Motion for a Final Order of Forfeiture ("Motion") for the following property ("Subject Property"):

- a. A Kel-Tec 9mm pistol caliber carbine, bearing serial number FR519;
- b. A Zig Tisas .45 caliber semi-automatic handgun, serial number unknown;
- c. A Calico M-100 .22 caliber long rifle, bearing serial number 00145;
and
- d. any associated ammunition.

The Court, having reviewed the United States' Motion, as well as the other papers and pleadings filed in this matter, as well as the Declaration of AUSA Jehiel I. Baer in Support of Motion for Final Order of Forfeiture ("Baer Decl."), hereby FINDS entry of a Final Order of Forfeiture is appropriate for the following reasons:

1 1. The Subject Property is forfeitable pursuant to 21 U.S.C. § 853(a), as
 2 property constituting or derived from proceeds Defendant obtained as a result of, and/or
 3 was involved in *Possession of Controlled Substances with Intent to Distribute* (a lesser
 4 included charge of Count 18), in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(B),
 5 and 18 U.S.C. § 2; and also, pursuant to 18 U.S.C. § 924(d) by way of 28 U.S.C.
 6 § 2461(c), as property involved in *Unlawful Possession of a Firearm*, in violation of
 7 18 U.S.C. 922(g); and *Possession of a Firearm in Furtherance of a Drug Trafficking*
 8 *Crime*, in violation of 18 U.S.C. § 924(c), 841(b)(1)(B), and 18 U.S.C. § 2;

9 2. On March 25, 2024, the Court entered a Preliminary Order of Forfeiture
 10 finding the Subject Property forfeitable pursuant to 21 U.S.C. § 853(a) and 18 U.S.C.
 11 § 924(d) by way of 28 U.S.C. § 2461(c), and forfeiting the Defendant's interest in it
 12 (Dkt. No. 181);

13 3. Thereafter, as required by 21 U.S.C. § 853(n)(l) and Fed. R. Crim.
 14 P. 32.2(b)(6)(C), the United States published notice of the pending forfeiture (Dkt.
 15 No. 191) and provided direct notice to six potential claimants as required by Fed. R.
 16 Crim. P. 32.2(b)(6)(A) (*see* Baer Decl., ¶ 2, Exhibits A-F); and

17 4. The time for filing third-party claims has expired, and none were filed.

18 NOW, THEREFORE, THE COURT ORDERS:

19 1. No right, title, or interest in the Subject Property exists in any party other
 20 than the United States;

21 2. The Subject Property is fully and finally condemned and forfeited, in its
 22 entirety, to the United States; and,

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